

JS 44C/SDNY

REV.

10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**Rearden
Netburn**

PLAINTIFFS

Community First Partners, LLC, Celsius SPV Investors, LP, Celsius New SPV Investors, LP, CDP Investissements Inc.

DEFENDANTS

Official Committee of Unsecured Creditors for Celsius Network LLC, et al.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 Milbank LLP, 55 Hudson Yards, New York, NY 10001, (212) 530-5000
 Jones Day, 555 South Flower Street, Fiftieth Floor, Los Angeles, CA 90071, (213) 489-3939

ATTORNEYS (IF KNOWN)
 White & Case LLP, 1221 Avenue of the Americas, New York, NY 10020, (212) 819-8200

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

28 U.S.C. 158 (appeal from judgment made by Bankruptcy Court), Federal Rules of Bankruptcy Procedure 8001-8005

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned _____

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY		PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 AIRLINE/HOSPITAL CARE	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	[] PHARMACEUTICAL PERSONAL	[] SEIZURE OF PROPERTY	[] 28 USC 158	[] 376 QUI TAM	
[] 130 MILLER ACT	[] LIABILITY	[] INJURY/PRODUCT LIABILITY	[] 21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE REAPPORTIONMENT	
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	[] 690 OTHER	[] 28 USC 157	[] 410 ANTITRUST	
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] PRODUCT LIABILITY	PROPERTY RIGHTS	[] 430 BANKS & BANKING		
[] 151 MEDICARE ACT	[] 340 MARINE	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 820 COPYRIGHTS	[] 450 COMMERCE		
[] 152 RECOVERY OF DEFECTUALD STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT	[] 460 DEPORTATION		
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 350 MOTOR VEHICLE PRODUCT LIABILITY	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)		
[] 160 STOCKHOLDERS SUITS	[] 355 MOTOR VEHICLE	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 840 TRADEMARK	[] 480 CONSUMER CREDIT		
[] 190 OTHER CONTRACT	[] 360 OTHER PERSONAL INJURY	[] 385 PROPERTY DAMAGE	SOCIAL SECURITY	[] 485 TELEPHONE CONSUMER PROTECTION ACT		
[] 195 PRODUCT LIABILITY	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] PRODUCT LIABILITY	[] 861 HIA (1395ff)			
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 862 BLACK LUNG (923)	[] 490 CABLE/SATELLITE TV		
	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	[] 863 DIWC/DIWV (405(g))	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE		
		[] 510 MOTIONS TO VACATE SENTENCE	[] 864 SSID TITLE XVI	[] 890 OTHER STATUTORY ACTIONS		
		28 USC 2255	[] 865 RSI (405(g))	[] 891 AGRICULTURAL ACTS		
		[] 530 HABEAS CORPUS	FEDERAL TAX SUITS	[] 893 ENVIRONMENTAL MATTERS		
		[] 535 DEATH PENALTY	[] 710 FAIR LABOR STANDARDS ACT	[] 895 FREEDOM OF INFORMATION ACT		
		[] 540 MANDAMUS & OTHER	[] 720 LABOR/MGMT RELATIONS	[] 896 ARBITRATION		
		[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[] 740 RAILWAY LABOR ACT	[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION		
REAL PROPERTY	[] 441 VOTING	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 790 OTHER LABOR LITIGATION	[] 950 CONSTITUTIONALITY OF STATE STATUTES		
[] 210 LAND CONDEMNATION	[] 442 EMPLOYMENT	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 791 EMPL RET INC SECURITY ACT (ERISA)			
[] 220 FORECLOSURE	[] 443 HOUSING/ ACCOMMODATIONS	[] 462 NATURALIZATION APPLICATION	[] 871 IRS-THIRD PARTY			
[] 230 RENT LEASE & EJECTMENT	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 465 OTHER IMMIGRATION ACTIONS	[] 26 USC 7609			
[] 240 TORTS TO LAND	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 550 CIVIL RIGHTS				
[] 245 TORT PRODUCT LIABILITY	[] 448 EDUCATION	[] 555 PRISON CONDITION				
[] 290 ALL OTHER REAL PROPERTY		[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF []1 DEF []1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF []3 DEF []3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF []5 DEF []5
CITIZEN OF ANOTHER STATE	[]2 []2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]4 []4	FOREIGN NATION	[]6 []6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 05/02/2023

/s/ Dennis F. Dunne

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. _____ Yr. _____)

Attorney Bar Code # 2414373

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)